

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

TTY 702-386-9108

Voice:

Administration 229-6353

Comp Planning 229-6022

Current Planning 229-6301

www.lasvegasnevada.gov

November 30, 2006

Mr. Steven Portnoff
1335 Radwick Drive
Las Vegas, Nevada 89110

Re: SUP-15027--Special Use Permit Request
to Allow a Proposed 80 Foot High
Amateur Radio Antenna Tower; Offer of
Reasonable Accommodation

Dear Mr. Portnoff,

This correspondence relates to your special use permit application (SUP-15027) requesting an eighty foot tall amateur radio antenna tower in what will be the rear yard of your primary residence located on the south side of O'Bannon Drive, approximately one hundred-forty feet west of Lisa Lane.

As you are aware, on August 10, 2006, SUP-15027 was considered by the Planning Commission, and that body recommended denial of the application to the City Council. Subsequently, the application was considered by the City Council and the Council voted to remand the application to the Planning Commission for further consideration. Most recently, on November 2, 2006, the Planning Commission reheard the application and voted to continue the public hearing on the application until December 21, 2006, to enable City staff to further communicate with you regarding the City's obligation to make an "offer of reasonable accommodation" pursuant to the mandate of a specific FCC declaratory ruling, commonly referred to as PRB-1 ("PRB-1").

In a nutshell, PRB-1 announced a limited federal preemption of local zoning laws that affect amateur radio communications as follows:

"Local regulations which involve placement, screening, or height of antennas based upon health, safety or aesthetic considerations must be crafted to accommodate reasonably amateur communications . . ."

At the City of Las Vegas, we have chosen to regulate the placement, screening and height of proposed amateur radio antennas greater than 15 feet in height by subjecting the applicant to the discretionary Special Use Permit process in order to reasonably accommodate amateur communications where possible.

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Lawrence Weekly
Steve Wolfson
Lois Tarkanian
Steven D. Ross

City Manager
Douglas A. Selby



This process permits City staff, as well as the Planning Commission and City Council, to review each request for an amateur radio antenna independently, and decide upon the proper course of action based on the circumstances presented with each particular application. It also allows City staff to attempt to negotiate a satisfactory compromise with the applicant during the pendency of the public hearing process, if necessary.

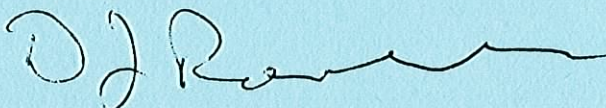
Based upon your application, and the prior hearings on this matter, it is our understanding that you desire to install an eighty foot triangular tower with a base three feet in diameter in what will be the rear yard of your primary residence. The Planning and Development Department does not believe that this application, which requests a tower that is highly industrial in appearance, is reasonable for your residential neighborhood. Please be advised that there are at least 223 single-family and multi-family dwellings within the one-thousand foot (1000 ft.) radial notice area from your property line.

The Planning and Development Department offers the following reasonable accommodation: the department will fully support your request for approval of an amateur radio antenna tower before the Planning Commission and City Council, provided that the tower is a crank-up or tilt-up antenna, no taller than forty feet from grade when fully extended, and no taller than fifteen feet from grade when not in use. It is our understanding that such an antenna, when fully extended, will be no shorter than the antenna in use at your current residence, and as such, it should appropriately accommodate your ability to engage in amateur radio communications. Because a majority of the homes in your neighborhood are single story residences, an antenna taller than forty feet would be inappropriate.

Please submit a written response to our offer of reasonable accommodation. Once the City is in receipt of your written response, City staff (including our experts in radio communication and amateur radio communication) will be happy to sit down and further discuss our offer prior to your application being heard at the Planning Commission meeting scheduled for December 21, 2006.

Feel free to contact me (229-5408), or Jim Lewis, Deputy City Attorney (229-6629) at any time during normal business hours.

Yours truly,



Doug Rankin
Planning Supervisor
City of Las Vegas
Planning & Development Department

cc: Steve Wolfson, Councilman
Larry Harala, Ward 2 Liaison
Margo Wheeler, Director of Planning and Development
James B. Lewis, Deputy City Attorney

August 1, 2006

To: Council Person Lois Tarkanian

City Council Chambers
400 Stewart Ave
Las Vegas, Nevada 89101

Re: Special Use Permit SUP-15027 A Proposal for 80 foot
high Amateur Radio Antenna Tower located at O'bannon
and Diamond Peak Ct and Diamond Brook Ct.

Dear Council Person Tarkanian

We live in a quiet neighborhood (Diamond Peak Ct and
Diamond Brook Ct) that is located in an area where the land
to the south of us is being developed.

There where two variances that have previously been
discussed and were consider a non issue for our
neighborhood that we did not object to in order to not appear
obstructionists regarding growth in and around our
neighborhood.

Submitted at Planning Commission

Date 8/10/06 Item #53 - 55

We however vigorously object to **A 80 FOOT (8 STORY) AMATEUR RADIO TOWER** being constructed at the end of our streets. There are very few homes on our streets that even have television or small satellite antennas.

Our homes are all 1 story homes and an 80 foot (8 story) radio antenna would be an eye sore to the area. Even the cell phone towers are made to look like trees. Please as our representative disallow this eye sore from being constructed in our 1 story neighborhood atmosphere. Thank you in advance for your help and understanding.

Name	Address	Phone
Sup. (Tom Reinertson)	2005 DIAMOND PEAK CT	6835515
(Jan Dixon)	" " "	682-1108
Sup. (Dana L. Wildt)	2012 Diamond PK	838-2682
(Jess Wildt)	2012 DIAMOND PK	838-2682
Sup. (Barbara Nappi)	2004 Diamond PK	8698086
(Mario Nappi)	2004 DIAMOND PEAK CT	869-8006
Sup. (Thomas J. Foselli)	2113 Diamond Peak Ct	243-5525
(Carmen Foselli)	2113 Diamond PK Ct.	243-8821
(Nancy Ekman)	2112 Diamond PK	256-5010

R
Cheryl-Beth Reineke
2204 Trident Maple Street
Las Vegas NV 89117-1893
702-804-9245
702-804-9247 Fax

August 9, 2006

Dear Planning Commission,

We are adamantly opposed to the approval of the Special Use Request SUP 15027 for an 80 foot amateur radio antenna in an all residential area where the residences don't have or may not allow due to HOA restrictions a TV antenna. The antenna would be an unsightly addition to the neighborhood and would not fit aesthetically.

Sincerely in Opposition,



Cheryl-Beth Reineke

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

Telephone Protest/ Approval Log

Meeting Date: 08/10/06

Case Number: SUP-15027
VAR-14735 VAR-14734

Date: 08/08/06
Name: Guerrero-Diaz
Address: 2173 S. Lisa Lane
L.V. NV 89117
Phone: (702) 400-8245
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
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☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

ITEM NO.: 53, 54, 55
CASE NO. VAR-14734, VAR-14735,
PC MEETING: 8-10-06 SUP-1502

August 3, 2006

To The Planning and Development Division:

I am writing this correspondence in answer to variance VAR-14734, VAR-14735, and special use permit SUP-15027.

My family resides across the street from described property and we are very opposed to the owner's requests for variances and special uses to the Planning Commission.

1. VAR-14734 and VAR-14735: The placement of a six foot high block wall across the front of said residence in this neighborhood does not aesthetically lend itself to a proper fit. The neighborhood as a whole includes semi-custom and custom homes. The request for home placement so close to easements does not fit aesthetically with the residence styles in this neighborhood.
2. SUP-15027: This request is opposed very vigorously; an 80-foot antenna and accompanying requirements does not fit within this neighborhood. A tower of this magnitude will undoubtedly require on-site down guy supports, possible lighting for air safety, and interior barrier walls for keeping the curious away. This appears to be a hazard area for potential thrill seekers to climb this tower. There is also the possibility of interference with neighborhood telephone and television reception.

Overall, these requests collectively would give the appearance of a mini compound. Something of this sort does not belong in a residential neighborhood. What is to keep thrill seekers attempting to climb this structure? We have young children in this neighborhood, and I feel this would be a temptation. Any protective solutions the property owner could install would also lend itself to a non-residential look for this property.

Regards,



Frank H. Malmstedt, Jr.
2117 Diamond Peak ct
Las Vegas, NV. 89117

ITEM NO.: 53, 54, 55
CASE NO. VAR-14734, VAR-14735,
PC MEETING: 8-10-06 SUP-15027 p

JUNE 1, 2006

To whom it may concern..... SUP-15027

We strongly appose any variance allowing any
80 foot antenna at the south half of SW Section
04 , township 21 south, range 60 east. We live at
8317 Monarch Birch. Thank you..

Robert Worthen Jr

Robert Worthen Jr.

Debra Worthen

Debra Worthen

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

August 4, 2006

City of Las Vegas Planning & Development

Re: Case #: SUP-15027

Dear Planning Commission Members,

My name is Hanna Sweis and I live on 2161 S. Lisa Lane, Las Vegas. I am extremely concerned about the intention of Mr. Portnoff to erect an 80 foot Tower right in front of my house, since I live adjacent to his property which he had recently purchased. I have been living in my house for 6 years and value so much the openness in this neighborhood. I looked at his proposal and I see that he is erecting this tower right in my view. Not only it would be an eyesore, but such uncommon elements will affect the value of my property. Eighty foot is extremely high for anything to be in front of anyone, and I doubt it will be acceptable to anyone but Mr. Portnoff. There are many alternatives to this tower which he should consider to exercise his hobby. This is not a ranch neighborhood and houses here occupy ½ acre or less.

I strongly object to this SUP, and I hope that you will deny it.

Best Regards,

Hanna Sweis
2161 S. Lisa Lane
Las Vegas, NV 89117
702-526-5954



RECEIVED

AUG 04 2006

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

Telephone Protest/ Approval Log

Meeting Date: 08/10/06 PC

Case Number: SUP-15027

Date: 08/02/06
Name: Joe Stockett
Address: 8304 Fullmoon
Maple Ave. L.V. NV. 89117
Phone: (702) 360-8867
☒ PROTEST ☐ APPROVE
Sycamore Space H.O. Assoc.

Date: 08/03/06
Name: Marvin Morocco
Address: 2104 Diamond Peak
L.V. NV 89117
Phone: (702) 341-8659
☒ PROTEST ☐ APPROVE

Date: 08/04/06
Name: Naomi Sloan
Address: 2124 Diamond Brook
L.V. NV. 89117
Phone: (702) 228-9317
☒ PROTEST ☐ APPROVE

Date: 08/04/06
Name: Hanna Sweis
Address: 2161 S. Lisa Lane
L.V. NV 89117
Phone: (702) 526-5954
☒ PROTEST ☐ APPROVE
*lives right next door - 80' is to high

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

Planning Commission

Hearing Date: 11/2/06

Applicant: Steven Portnoff

Re: Variance #'s 14734, 14735 + 15027

Commission Members:

I continue to object to these plans. I have been provided no new information which would alter my original objection & do not clearly understand why there is a hearing to rescind the denial.

The applicant should be building in an area which would allow him to do as he wants rather than change the intent and complexion of this area.

Sincerely,

James Fray
8616 Tithenist Circle
Las Vegas, NV.
89117

ITEM # 32, 34, 36
CASE # SEE ABOVE
PC MTG 11-2-06

✓ ~~Dr. Tom Reinertson~~
(REINERTSON)

2005 DIAMOND PEAK CT
683-5515

✓ ~~John Reinertson~~

2005 Diamond Peak Ct
682-1108

✓ ~~John Reinertson~~
Theresa Garcia

2001 DIAMOND PEAK CT. 233-8130

✓ ~~John Reinertson~~

2008 Diamond Peak Ct. 240-2317

✓ Judy Welch

2008 Diamond Peak Ct. 240-2317

✓ Gary J Brooks 2005 Diamond Peak Ct 869-1228

✓ John Lally 2004 Diamond Brook Ct 89117

✓ ~~John Lally~~ 2009 Diamond Brook Ct. 89117

✓ ~~John Lally~~ 2000 DIAMOND BROOK CT 89117 243-7393

✓ ~~John Lally~~ 2000 DIAMOND BROOK CT 89117 243-7393

✓ ~~John Lally~~ 2001 DIAMOND BROOK CT 89117 360-4258

✓ ~~John Lally~~ 2017 Diamond Brook Ct. 89117- 228-8365 ✓

✓ Michelle Cannella 2109 Diamond Brook Ct. 89117 360-3587

✓ ~~John Lally~~ 2109 Diamond Brook Ct. 89117 360-3587

✓ Mr + Mrs Morel J. Honore 2113 Diamond Brook Ct.

✓ ~~John Lally~~ 2117 Diamond Brook Ct 89117

✓ Charles Field 2116 Diamond Brook Ct 89117

✓ ~~John Lally~~ 2116 Diamond Brook Ct 89117

✓ ~~John Lally~~ 2112 Diamond Brook Ct 89117

Nora Vios 212 Diamond Brook Ct
Carmel Vios " " "

Francisco Ruano 2125 Diamond Brook Ct

Nora A. Fisher 2125 Diamond Brook Ct

~~MAARU - duplicate~~
~~Marian Monique~~ 2104 Diamond Peak Ct

~~Mario~~ 2104 " "

~~Barbara~~ " "

~~Donna Wildt~~ 2012 Diamond Peak Ct - 838-2682

~~Stuart M. Polson~~ 2012 Diamond Peak Ct 838-2682

Stuart M. Polson 2013 Diamond Peak Ct. 255-3227

Michelli Cenciola 2013 Diamond Peak Ct. 255-3227

Philip M. Geller 2009 Diamond Peak Ct 233-5795

Marsha D. Geller 2009 Diamond Peak Ct 233-5795

John Kinder 2100 Diamond Peak Ct. 242-0991

2100 Diamond Peak Ct. 242-0991

Alan M. Kinder

Joe Menck 2000 Diamond Peak 360 4961

Cynthia Wulfsberg 2109 Diamond Peak (415) 412 8603

Betty Wulfsberg 2109 Diamond Peak (502) 427-5863

SHARON PRIER 2108 DIAMOND PEAK CT 89117 870-5480

ITEM # 36

CASE # SUP-15027

PC MTG 11-2-06

17P

Nancy Ehrman

From: "Nancy Ehrman" <nehrman331@earthlink.net>
To: "Ehrman, Nancy" <nehrman331@earthlink.net>
Sent: Thursday, October 26, 2006 12:32 AM
Subject: Objection to Variance proposed by Steven Portnoff.

Dear Mr. Harala and Mr. Grossman,

Once again I strongly oppose the issues raised by Steven Portnoff in the form of variance Sup-15027 which would allow the installation of an 80 ft. amateur radio antenna tower on his property directly across from our homes on Diamond Peak Court. I also object to Var 4735 regarding the set back and also object to the Var 14734 which would propose a 6' wall in the front yard of the property. I live at 2112 Diamond Peak Court, just 2 houses away from Mr. Portnoff's property. He has never talked to any of us, who would be his close neighbors, in regard to his proposed changes and additions to the property or expressed his reasons for wanting the changes.

We have repeatedly voiced our objections to his proposals and have sent signed letters and appeared in person at the evening commission meetings to voice our opposition. We feel that our neighborhood is not the appropriate site for the oversized tower and also feel his requests for walls and set backs are not in keeping with the appearance and well being of the present neighborhood houses and property.

Nancy Ehrman
 2112 Diamond Peak Ct.
 Las Vegas, NV 89117

cc. Las Vegas Planning and Development Department

*For E-mail address added
 Not accept this message.*

ITEM # 36
 CASE # SUP-15027
 PC MTG 11-2-06

(Duplicate)

RECEIVED
CITY CLERK

OBJECTION TO SUP-15027

2006 OCT 31 P 12:09

WE, THE RESIDENTS OF CANYON VIEW ESTATES –
LOCATED NEAR AND AROUND THE SOUTH HALF OF THE
SOUTHWEST QUARTER OF SECTION 04, TOWNSHIP 21
SOUTH, RANGE 60 EAST, M.D.M., DO FORMALLY OBJECT
TO SUP-15027.

CONSTRUCTION OF AN 80 FOOT, EIGHT STORY
AMATEUR RADIO ANTENNA TOWER IS INAPPROPRIATE
IN OUR DENSELY RESIDENTIAL AREA AND WOULD
ADVERSELY IMPACT THE UNIFORMITY AND
ATTRACTIVENESS OF OUR NEIGHBORHOOD.

WE, THE UNDERSIGNED, VIGOROUSLY OBJECT AND
REQUEST THAT THE CITY COUNCIL TURN DOWN ALL
SPECIAL PERMITS AND VARIANCES FOR THIS PROJECT.

ITEM # 36
CASE # SUP-15027
PC MTG 11-2-06

Submitted after final agenda

Date 10/31/06 Item # 35

8P

NAME

ADDRESS

1. LaDonna Gentz 2200 Country Cottage Ct 89117
2. ~~Charles R. Gentz~~ 2200 Country Cottage Ct 89117

3. Rebecca Rosen 2241 Country Cottage Ct. 89117
4. Kenneth G. Rosen 2241 Country Cottage Ct. 89117

5. Rick Sealy 2240 Country Cottage Ct 89117

6. Susan Browne 2201 Country Cottage Ct 89117

7. David Bennett 2220 Country Cottage Ct 89117

8. Jennifer Bennett 2220 Country Cottage Ct 89117

9. John Gilt-Grady 2240 Country Cottage Ct. 89117

Dennis C. Haecke

✓ 10. DENNIS C. HAECKE

2221 COUNTRY COTTAGE

✓ 11. Europe C. Houle 2261 Country Cottage Ct. 89117 89117

✓ 12. William Hoyle
2261 Country Cottage Ct. Las Vegas✓ 13. Michaeli Rouse
2280 Country Cottage 89117✓ 14. Leah Rouse
2280 Country Cottage 89117Dup on
page 1✓ 15. [Signature]
2201 Country Cottage Ct. 89117

16.

17.

18.

19.

8P

Cheryl-Beth Reineke
2204 Trident Maple Street
Las Vegas NV 89117-1893
702-804-9245
702-804-9247 Fax

November 1, 2006

Dear Planning Commission,

We are adamantly opposed to the approval of the Special Use Request SUP-15027, an 80ft amateur radio antenna in an all residential area. The surrounding residences don't have or may not allow, due to HOA restrictions, TV antennas. There is also concern of transmittal bleed over effecting personal wireless equipment. The antenna would be an unsightly addition to the neighborhood and would not fit aesthetically.

Sincerely in Opposition,



Cheryl-Beth Reineke
Homeowner

ITEM # 36
CASE # SUP-15027
PC MTG 11-2-06